



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Seventh Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based In Whole Or In Part Upon
Investment In The Del Valle Livingston
Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8539] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

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2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to
3 repayment by the borrower or from the collateral securing the Del Valle Livingston Loan;
4 and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8539] is sustained; and
7 2. The claims listed on **Exhibit A** attached are disallowed in full to the extent
8 those claims are based upon an investment in the Del Valle Livingston Loan.
9

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**
12

13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

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20 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACUM TRUST
Del Valle - Livingston Loan
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Del Valle - Livingston Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan
10725-02219	1/12/2007	Louis H & Shirley M Turner Fam Trst Dtd 9/19/97	Louis H & Shirley M Turner Ttees 9558 Mammoth Ct Reno, NV 89521	304,359.74	50,000.00
10725-01967	1/10/2007	Markwell Family Trust	Terry & Christiane Markwell Ttees 12765 Silver Wolf Rd Reno, NV 89511	710,494.52	50,000.00
10725-02037	1/11/2007	Miller Trust Dated 8/13/87	Gary I & Barbara Miller Ttees 2832 Tilden Ave Los Angeles, CA 90064	1,111,366.00	50,000.00
10725-01208	11/10/2006	Monighetti, Pete	6515 Frankie Ln Prunedale, CA 93907	1,509,963.55	50,000.00
10725-01959	1/10/2007	Osherow Trust Dtd 9/11/89	Aaron Osherow Trustee 8025 Maryland Avenue Apt 10-C Clayton, MO 63105	1,088,466.02	50,000.00
10725-02550	6/18/2007	Osvaldo Zunino Living Trust Dated 12/18/98	C/O Osvaldo Zunino Trustee 3575 Tioga Way Las Vegas, NV 89109-3340	620,000.00	100,000.00
10725-01032	11/6/2006	Perrone, Nicholas	5112 San Anselmo St Las Vegas, NV 89120	736,089.00	100,000.00
10725-01213	11/10/2006	Peter Valve Company Inc	2800 Wrondel Way Site A Reno, NV 89502-4297	100,000.00	50,000.00
10725-01646	12/11/2006	Phillips Family Trust Dtd 10/24/89	Steve And Or Frances Phillips Trustees 2275 Schooner Circle Reno, NV 89519	37,500.00	12,500.00
10725-00844	11/13/2006	Premiere Holdings Inc Defined Benefit	10120 W. Flamingo, Suite 4-12 Las Vegas, NV 89147	380,000.00	50,000.00
10725-01277	11/10/2006	Premiere Holdings Inc Defined Benefit Pen Plan & Trust	10120 W. Flamingo, Suite 4-12 Las Vegas, NV 89147	380,000.00	50,000.00

EXHIBIT A